

MINUTE ITEM

38. CONSIDERATION OF SUBSIDENCE COST PROJECTS, LONG BEACH - ADDITIONAL COSTS TO L.B.W.O. 10,092.

After consideration of Calendar Item 46 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION CONDITIONALLY APPROVES THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS EXPECTED TO BE EXPENDED THEREUNDER FOR PROPERTY PURCHASE INCLUDING THE FORCE ACCOUNT COSTS ASSOCIATED WITH THIS EXPENDITURE FOR THE PERIOD JULY 30, 1959 TO JUNE 30, 1960, AS SHOWN ON EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF, SUBJECT TO THE CONDITION, HOWEVER, THAT THE AMOUNT, IF ANY, OF SUCH COSTS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE ITEMS OF WORK HAVE BEEN COMPLETED; AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID ACQUISITIONS AND SAID WORK; FURTHER, THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THAT THE EXECUTIVE OFFICER, OR THE ASSISTANT EXECUTIVE OFFICER, OR THE SUPERVISING MINERAL RESOURCES ENGINEER ARE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment

Calendar Item 46 (2 pages)

CALENDAR ITEM

46.

CONSIDERATION OF SUBSIDENCE COST PROJECTS, LONG BEACH - ADDITIONAL COSTS TO L.B.W.O. 10,092.

On June 25, 1959 (Minute Item 23, pages 4964-4968), the Commission conditionally approved the costs to be expended in the 1959-60 Fiscal Year by the Harbor Department of the City of Long Beach, including subsidence remedial work for the TOWN LOT area project. Subsequent to the above-mentioned approval, it developed that additional expenditures will be incurred by the Harbor Department. These costs will arise from the necessity of making additional Property Purchases.

At the meeting of the Commission on March 25, 1959, the Chairman of the Commission directed that the opinion of the Attorney General be obtained as to the establishment of the principles of costs deductions by the City of Long Beach and for State participation of any enhanced values of properties acquired by the City with the aid of subsidence deduction.

Pending receipt of the opinion of the Attorney General, it is thought desirable that the present status of conditional approval continue.

IT IS RECOMMENDED THAT THE COMMISSION CONDITIONALLY APPROVE THE TOWN LOT AREA PROJECT AS A SUBSIDENCE PROJECT AND THE COSTS EXPECTED TO BE EXPENDED THEREUNDER FOR PROPERTY PURCHASE INCLUDING THE FORCE ACCOUNT COSTS ASSOCIATED WITH THIS EXPENDITURE FOR THE PERIOD JULY 30, 1959 TO JUNE 30, 1960, AS SHOWN ON EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF, SUBJECT TO THE CONDITION, HOWEVER, THAT THE AMOUNT, IF ANY, OF SUCH COSTS TO BE ALLOWED ULTIMATELY AS SUBSIDENCE COSTS DEDUCTIBLE UNDER SECTION 5(a) OF CHAPTER 29, STATUTES OF 1956, 1ST E.S., WILL BE DETERMINED BY THE COMMISSION UPON AN ENGINEERING REVIEW AND FINAL AUDIT SUBSEQUENT TO THE TIME WHEN THE ITEMS OF WORK HAVE BEEN COMPLETED; AND THAT THE WORK CONFORM IN ESSENTIAL DETAILS TO THE PLANS AND BACKGROUND MATERIAL HERETOFORE SUBMITTED TO THE COMMISSION; PROVIDED THAT NO ESTIMATE SHALL BE PRESENTLY MADE OF THE AMOUNT OF SUBSIDENCE DEDUCTION ULTIMATELY TO BE ALLOWED BY VIRTUE OF SAID ACQUISITIONS AND SAID WORK; FURTHER, THE CITY OF LONG BEACH IS NOT AUTHORIZED TO WITHHOLD FROM REVENUES DUE THE STATE ANY PORTIONS OF THE COSTS OF THE TOWN LOT PROJECT UNTIL COMMISSION APPROVAL HAS BEEN HAD; FINALLY, THAT THE EXECUTIVE OFFICER, OR THE ASSISTANT EXECUTIVE OFFICER, OR THE SUPERVISING MINERAL RESOURCES ENGINEER BE AUTHORIZED TO EXECUTE APPROPRIATE WRITTEN INSTRUMENTS REFLECTING THE COMMISSION'S CONDITIONAL APPROVAL.

Attachment
Exhibit "A"

EXHIBIT "A"

LONG BEACH WORK ORDER NO. 10,092 - ADDITION NO. 1 to Project and Estimate
Submitted by the Port of Long Beach, TOWN LOT.

<u>ITEM</u>	<u>AFE</u>	<u>WORK PROPOSED</u>	LBHD ESTIMATED SUB-PROJECT EXPENDITURE JULY 30, 1959 <u>TO JUNE 30, 1960</u>	<u>SUBSIDENCE AUTHORIZATION</u>
1	310	Property Purchase -- Area 7, Lot 30, Tract 1960	\$ 3,000	*
2	310	Property Purchase -- Increase in cost above the originally approved amount for Lots 1 to 3, 8 to 10, and 13 to 26, all inclusive, in Block 14 of Plat 2, Seaside Park.	\$12,775	*

* - Subject to later determination by the State Lands Commission.